

WETHERSFIELD ZONING BOARD OF APPEALS

PUBLIC HEARING/ PUBLIC MEETING UNOFFICIAL MINUTES UNTIL VOTED UPON **September 26, 2016**

The Wethersfield Zoning Board of Appeals held a public hearing on September 26, 2016 at 7:00 PM in the Town Hall Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

PRESENT: Thomas J. Vaughan, Jr., Chairman
David Gustafson, Alternate, Acting Clerk
Morris Borea
Mary Pelletier, Alternate
Michael Vieira

ABSENT: Bassia E. Dellaripa
Daniel Logan, Vice Chairman

ALSO PRESENT: Justin LaFountain, Zoning Officer and Mary Lou Wall, Recording Secretary.

Chairman Thomas J. Vaughan called the meeting to order at 7:03 p.m. The Chairman explained the procedures of the meeting and the hearing. He further explained that there are four affirmative votes necessary to approve an application. There are five voting members present. He made an offer to the public to speak. No one came forth.

The Chairman asked Clerk David Gustafson to read the first application.

- 1. Application No. 6176-16 CF C/O Carolyn Parker**, Seeking to amend a previous variance to allow for an additional 6 square feet for a freestanding gas price sign (total proposed square footage of 45 square feet) at Cumberland Farms, 1855 Berlin Turnpike, RC Regional Commercial Zone (\$6.3.F). **Continued from previous meeting**

Ms. Carolyn Parker representing Cumberland Farms described the smart pay program and that has been trademarked. She explained to the Commission that Cumberland Farms had been granted a variance in 2004 and again in 2010 came forth for an LED sign. Cumberland Farms wants to conform to other locations and therefore this application is here for approval.

Chairman Vaughan asked if they were denied a sign by Planning and Zoning due to the fact they considered it a variable message sign. Ms. Parker affirmed. Commissioner Pelletier asked if they received a variance for the height pointing out that the change will be more in compliance but not totally in compliance. Commissioner Borea discussed the 2004 variance which stated a larger sign but not the dimensions.

Chairman Vaughan asked the public if there was anyone who wished to speak in favor or against this application; no one came forward.

The Chairman asked Acting Clerk Gustafson to read the next application.

- 2. Application No. 6178-16 John O'Neill**, Seeking a variance of 2 feet to permit the installation of an air conditioning condenser over the building line in the southern side yard of 111 Surrey Drive, A-1 Single Family Residential Zone (§3.7) **Continued from previous meeting**

Mr. John O'Neill, 111 Surrey Drive, Wethersfield stating he was here to get a condenser installed.

Chairman Vaughan asked why and did he speak to adjacent neighbors. Mr. O'Neill replying he spoke to neighbors and they had no objection and letters were sent out. He wants to build a larger deck on the back side of the house in the future and would need to have more space.

The Chairman asked if there was anyone in favor or against this application; no one came forward. The Chairman asked for the next application to be read by Clerk Gustafson.

- 3. Application No. 6179-16 Kurt Nichols/Tyrone Dotson**, Seeking a variance of 8 feet to permit the installation of an air conditioning condenser over the building line in the southern side yard at 7 Springdale Road, A-1 Single Family Residential Zone (§3.7).

Mr. Tyrone Dotson, 7 Springdale Road, Wethersfield requesting permission to install a condenser 8' over the southern setback line of his property. Mr. Dotson is unable to install in back due to his deck.

Chairman Vaughan asked if he spoke to the neighbors and those that would be directly effected by this, and he answered that he did and there are no problems. Chairman Vaughan asked is part of your hardship the fact that it is a corner lot. Mr. Dotson answering yes. Commissioner Vieira asked if it is visible from Hang Dog and a neighbor. Mr. Dotson stating there is no neighbor next to Hang Dog.

Chairman Vaughan asked if there was anyone in favor or against the application; no one came forward. Chairman Vaughan requested Clerk Gustafson to read the next application.

- 4. Application No. 6180-16 Brian Lawton**, Seeking a variance of 6 feet to permit the construction of a porch covering in the rear yard at 22 Penny Place, AA Single Family Residential Zone (§3.7).

Mr. Brian Lawton 22 Penny Lane, Wethersfield seeking a 6' setback, he has an existing patio.

Chairman Vaughan asking why he needs the variance. Mr. Lawton explaining he is on a pie shape lot but it is not deep enough. Chairman Vaughan asked if the lot is the hardship and the applicant replying yes.

Chairman Vaughan asked for anyone to come forward in favor of this application.

Mr. Tom Mazzeella 600 Wolcott Hill Road, Wethersfield stating he looked at the regulations and feels the Commission should support the application noting that the applicant does excellent work, since the applicant did work on his property. Mr. Mazzeella supports the application.

Chairman Vaughan asked in there was anyone not in favor of this application; no one came forward.

The Chairman noted that due to a clerical error on the agenda, he wishes to add two applications for the public meeting and took a vote.

Chairman Vaughan requesting Commissioners to add two Applications to the Public Meeting:

AYES – Commissioners Borea, Gustafson, Pelletier, Vaughan, Vieira

NAY – None

ABS. – None

Motion passed 5-0

PUBLIC MEETING

1. Chairman Vaughan asked for a motion to vote on Application No 6176-16.

Commissioner Morris Borea made a Motion to Approve as presented **APPLICATION NO. 6176-16 CF C/O CAROLYN PARKER**, Seeking to amend a previous variance to allow for an additional 6 square feet for a freestanding gas price sign (total proposed square footage of 45 square feet) at Cumberland Farms, 1855 Berlin Turnpike, RC Regional Commercial Zone (§6.3.F). **Continued from previous meeting**

Commissioner David Gustafson **Second**

Aye – Commissioners Borea, Gustafson, Pelletier, Vaughan and Vieira

Nay – None

ABS. – None

Motion Passed 5-0

2. Chairman Vaughan asked for a motion to vote on Application No. 6178-16.

Commissioner Mary Pelletier made a Motion to Approve as presented **APPLICATION NO. 6178-16 JOHN O'NEILL**, Seeking a variance of 2 feet to permit the installation of an air conditioning condenser over the building line in the southern side yard at 111 Surrey Drive, A-1 Single Family Residential Zone (§3.7). **Continued from previous meeting**

Commissioner Michael Vieira **Second**

Aye – Commissioners Borea, Gustafson, Pelletier, Vaughan and Vieira

Nay – None

ABS. – None

Motion Passed 5-0

3. Chairman Vaughan asked for a Motion to Vote on Application No. 6179-16.

Commissioner David Gustafson made a Motion to Approve as proposed **APPLICATION NO. 6179-16 KURT NICHOLS/TYRONE DOTSON**, Seeking a variance of 8 feet to permit the installation of an air conditioning condenser over the building line in the southern side yard at 7 Springdale Road, A-1 Single Family Residential Zone (§3.7.)

Commissioner Mary Pelletier **Second**

AYE – None

NAY – None

ABS. – None

Motion Passed 5-0

4. Chairman Vaughan asked for a Motion to Vote on Application No. 6180-16.

Commissioner Morris Borea made a Motion to Approve as presented **APPLICATION NO. 6180-16 BRIAN LAWTON**, Seeking a variance of 6 feet to permit the construction of a porch covering in the rear yard at 22 Penny Place, AA Single Family Residential Zone (§3.7).

Commissioner Michael Vieira **Second**

AYE – Commissioners Borea, Gustafson, Pelletier, Vaughan and Vieira

NAY – None

ABS. – None

Motion Passed 5-0

5. Election of Officers

Commissioner Borea made a motion to move for **Thomas Vaughan Jr to be Chairman of the Zoning Board of Appeals and Daniel Logan as Vice Chairman of Zoning Board of Appeals and Change David Gustafson from Acting Clerk to Clerk.**

Commissioner David Gustafson **Second**

AYE – Commissioners Borea, Gustafson, Pelletier, Vaughan, Vieira

NAY – None

ABS – None

Motion Passed 5-0

6. Approval of 2017 Meeting Dates

Zoning Officer Justin LaFontain stated the Zoning Board of Appeals 2017 Meeting Dates must be approved prior to October 1, 2016.

Commissioner David Gustafson made a motion to Approve Zoning Board of Appeals 2017 Meeting Dates.

Commissioner Morris Borea **SECOND**

AYE – Commissioners Borea, Gustafson, Pelletier, Vaughan and Vieira

NAY – None

ABS – None

Motion Passed 5-0

7. Approval of Minutes of: July 22, 2016

Commissioner Mary Pelletier made a motion to approve the minutes of July 22, 2016.

Commissioner Michael Vieira **SECOND**

AYE – Commissioners Gustafson, Pelletier, Vaughan and Vieira.

NAY – None

ABS. – None

Motion Passed 4-0

8. OTHER BUSINESS

Zoning Officer Justin LaFountain discussed the RV and Boat Regulations stating presently the regulations allow you to have an 18' RV and Boat Regulations at 18'. These vehicles must be parked in the rear yard. He discussed the possibility of giving this responsibility back to the

Zoning Board of Appeals from the Planning and Zoning Commission, as per discussions with Town Planner Peter Gillespie and Assistant Planner Denise Bradley and the present intern Ashley. He would like to increase the size to perhaps 25' and anything larger should be reviewed. Mr. LaFountain discussed Variance versus Special Exception and other regulations such as giving back responsible to Planning and Zoning on livestock and Mr. Gillespie was in agreement with the responsibility of livestock going to Planning and Zoning. Chairman Vaughan asked about generators and a/c units. Officer LaFountain is working on more comprehensive regulations for signs and perhaps amend the a/c and generators to be included in another section of the regulations. More discussion on these matters will continue.

Meeting Adjourned at 7:30 p.m.

Respectfully Submitted,

Mary Lou Wall.

Recording Secretary